

Va. Administrative Dispute Resolution Council

Draft Minutes

October 24, 2002 Meeting

Richmond, Virginia

Present: Sandra D. Bowen, Chairman; Sheryl D. Bailey, Deputy Secretary of Administration; Nupa Agarwal; Patricia W. Bauguss; Alfred G. Bridger, Jr.; Janice Buie; Keith R. Bushey; Joseph Damico; Raymond E. Davis; Claudia T. Farr; Kathy Fischer; James W. Fisher; John M. Gazzola; Charles R. Gray; Kelley L. Hellams; Guy W. Horsley, Jr.; Gail D. Jaspen; John P. Kirby; Steven Marzolf; Carol A. Mitchell; Barbara K. Newlin; William E. Price; Paul Prissel; Mark Rubin; John Settle; Ernest G. Spratley; Paul M. Thompson; Brenda F. Weiss

Members were sworn in, and Sandra Bowen, Chairman, called the meeting to order at approximately 10:30 a.m. All attendees introduced themselves to the group.

Sheryl Bailey, Deputy Secretary, provided an overview of the Virginia Administrative Dispute Resolution Act (the Act), the Council's goals as established by the Act, and examples of collaboration and ADR use in other states and localities.

Claudia Farr, Director of the Department of Employment Dispute Resolution, discussed current ADR use in Virginia's Executive Branch agencies. Several Council members provided more information about the ADR programs in their respective agencies: Carol Mitchell (Dept. of Professional and Occupational Regulation), Al Bridger (Dept. of Agriculture and Consumer Services), John Gazzola (Dept. of Motor Vehicles), and Paul Prissel (Dept. of Employment Dispute Resolution).

Sheryl Bailey then discussed the ten keys to success identified by other states as reported by the national organization, Policy Consensus Initiative (PCI), in its publication "Governing Tools for the 21st Century: How State Leaders Are Using Collaborative Problem Solving and Dispute Resolution," a copy of which was provided to each attendee. The ten factors are (1) finding champions among leaders; (2) using skillful coordinator(s); (3) providing continuous education and training; (4) involving staff and users in program development; (5) conducting a needs assessment, planning process, pilot program, and evaluation; (6) using a comprehensive systems approach that employs preventive as well as reactive processes; (7) creating incentives and removing disincentives; (8) developing policies and guidelines; (9) ensuring adequate resources; and (10) rewarding and celebrating accomplishments.

Sandra Bowen noted that the Council's work will assist state and local government in developing productive new collaborative tools, models, and attitudes, and that the state's budget crisis is one primary reason that such approaches are needed. Emphasizing that fiscal shortfalls should not be viewed as an excuse for failing to fulfill the goals of the Act, she indicated that the Act provides an enormous opportunity for efficiencies, cost savings, and a beneficial culture change in government.

A draft Council work plan for the remainder of this fiscal year was distributed and discussed by Paul Prissel. The work plan identified three ad hoc start-up committees: Training & Education; Agency Implementation; and Data Collection & Analysis. Council members completed and submitted committee sign up forms indicating their committees of interest. Guy Horsley, one of the three liaisons to the Council from the Attorney General's Office, raised a question regarding the scope of the Act's definition of "state agencies," and it was concluded that the issue could be addressed by the Council as it proceeds with its work.

The meeting adjourned at noon.